

# Order

Michigan Supreme Court  
Lansing, Michigan

September 27, 2018

Stephen J. Markman,  
Chief Justice

156777

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

JOSHUA LEE THORPE,  
Defendant-Appellant.

SC: 156777  
COA: 332694  
Allegan CC: 13-018428-FH

Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Kurtis T. Wilder  
Elizabeth T. Clement,  
Justices

By order of May 29, 2018, the prosecuting attorney was directed to answer the application for leave to appeal the August 10, 2017 judgment of the Court of Appeals. On order of the Court, the answer having been received, the application for leave to appeal is again considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1).

The appellant shall file a supplemental brief within 42 days of the date of this order addressing: (1) whether the trial court abused its discretion by allowing expert testimony on redirect about the rate of false reports of sexual abuse by children, see *People v Peterson*, 450 Mich 349 (1995), in order to rebut testimony elicited on cross examination that children can lie and manipulate; and, if so, (2) whether the error was harmless. In addition to the brief, the appellant shall electronically file an appendix conforming to MCR 7.312(D)(2). In the brief, citations to the record must provide the appendix page numbers as required by MCR 7.312(B)(1). The appellee shall file a supplemental brief within 21 days of being served with the appellant's brief. The appellee shall also electronically file an appendix, or in the alternative, stipulate to the use of the appendix filed by the appellant. A reply, if any, must be filed by the appellant within 14 days of being served with the appellee's brief. The parties should not submit mere restatements of their application papers.

We further direct the Clerk to schedule the oral argument in this case for the same future session of the Court when it will hear oral argument in *People v Harbison* (Docket No. 157404).

Persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 27, 2018

Clerk